W.P. No. 717 of 2001(S/S)

Hon'ble P.C. Verma, J.

Notice has been accepted by Sri R.K. Raizada who prays for and is allowed three weeks time to file counter affidavit. Learned counsel for the petitioner submits that he made a application, for appointment under dying-in harness Rules. The respondents instead of appointing him under dying in harness Rules engaged him on daily wages and he was being paid Rs. 80/- per day, as wages.

The petitioner's engagement has now been dis-continued from 1st March, 2001. The learned counsel for the petitioner further submitted that had it been an appointment under dying-in harness Rules, his services could not have been terminated as the appointment under dying-in harness Rules is of permanent nature. Since the petitioner was not appointed under dying-in-harness Rules as no appointment letter has been produced before this court, therefore, the statement made by the learned counsel for the petitioner is mis-conceived. However, the respondents are directed to allow the petitioner to continue on daily wages and shall consider the case of the petitioner under dying-in harness Rules, if applicable within a period of three months.

With the aforesaid observation, the writ petition is disposed of.

Sd/-

20.3.2001